

117TH CONGRESS  
1ST SESSION

# S. 3148

To modify the semiannual reports submitted by Inspectors General, and  
for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2021

Ms. HASSAN (for herself and Mr. GRASSLEY) introduced the following bill;  
which was read twice and referred to the Committee on Homeland Secu-  
rity and Governmental Affairs

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## A BILL

To modify the semiannual reports submitted by Inspectors  
General, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Inspector General Re-  
5       porting Modernization Act of 2021”.

6       **SEC. 2. SEMIANNUAL REPORTS.**

7       The Inspector General Act of 1978 (5 U.S.C. App.)  
8       is amended—

9                   (1) in section 4(a)(2)—

- 1                             (A) by inserting “, including” after “to  
2                             make recommendations”; and  
3                             (B) by inserting a comma after “section  
4                             5(a)”;  
5                             (2) in section 5—  
6                             (A) in subsection (a)—  
7                                 (i) by striking paragraphs (1) through  
8                                 (12) and inserting the following:  
9                                 “(1) a description of significant problems,  
10                                 abuses, and deficiencies relating to the administra-  
11                                 tion of programs and operations of the establishment  
12                                 and associated reports and recommendations for cor-  
13                                 rective action made by the Office;  
14                                 “(2) an identification of each recommendation  
15                                 made before the reporting period, for which corre-  
16                                 ctive action has not been completed, including the po-  
17                                 tential costs savings associated with the recommen-  
18                                 dation;  
19                                 “(3) a summary of significant investigations  
20                                 closed during the reporting period;  
21                                 “(4) an identification of the total number of  
22                                 convictions during the reporting period resulting  
23                                 from investigations;

1               “(5) information regarding each audit, inspec-  
2       tion, or evaluation report issued during the reporting  
3       period, including—

4               “(A) a listing of each audit, inspection, or  
5       evaluation;

6               “(B) if applicable, the total dollar value of  
7       questioned costs (including a separate category  
8       for the dollar value of unsupported costs) and  
9       the dollar value of recommendations that funds  
10      be put to better use, including whether a man-  
11      agement decision had been made by the end of  
12      the reporting period;

13               “(6) information regarding any management  
14      decision made during the reporting period with re-  
15      spect to any audit, inspection, or evaluation issued  
16      during a previous reporting period;”;

17               (ii) by redesignating paragraphs (13)  
18      through (22) as paragraphs (7) through  
19      (16), respectively;

20               (iii) by amending paragraph (13), as  
21      so redesignated, to read as follows:

22               “(11) a report on each investigation conducted  
23      by the Office where allegations of misconduct were  
24      substantiated involving a senior Government em-  
25      ployee or senior official (as defined by the Office) if

1       the establishment does not have senior Government  
2       employees, which shall include—

3               “(A) the name of the senior Government  
4               employee or senior official, if already made pub-  
5               lic by the Office; and

6               “(B) a detailed description of—

7                       “(i) the facts and circumstances of  
8                       the investigation; and

9                       “(ii) the status and disposition of the  
10                  matter, including—

11                       “(I) if the matter was referred to  
12                  the Department of Justice, the date of  
13                  the referral; and

14                       “(II) if the Department of Jus-  
15                  tice declined the referral, the date of  
16                  the declination;”;

17                       (iv) in paragraph (14)(B), as so re-  
18                  designed, by adding “and” at the end;  
19                  and

20                       (v) in paragraph (15), as so redesign-  
21                  ated—

22                       (I) by striking subparagraphs (A)  
23                  and (B) and inserting the following:

1               “(A) any attempt by the establishment to  
2               interfere with the independence of the Office,  
3               including—

4               “(i) with budget constraints designed  
5               to limit the capabilities of the Office; and

6               “(ii) incidents where the establish-  
7               ment has resisted or objected to oversight  
8               activities of the Office or restricted or sig-  
9               nificantly delayed access to information,  
10              including the justification of the establish-  
11              ment for such action; and

12              “(B) a summary of each report made to  
13              the head of the establishment under section  
14              6(c)(2) during the reporting period.”; and

15              (B) in subsection (b)—

16              (i) by striking paragraphs (2) and (3)  
17              and inserting the following:

18              “(2) where final action on audit, inspection,  
19              and evaluation reports had not been taken before the  
20              commencement of the reporting period, statistical ta-  
21              bles showing—

22              “(A) with respect to management deci-  
23              sions—

1                 “(i) for each report, whether a man-  
2                 agement decision was made during the re-  
3                 porting period;

4                 “(ii) if a management decision was  
5                 made during the reporting period, the dol-  
6                 lar value of disallowed costs and funds to  
7                 be put to better use as agreed to in the  
8                 management decision; and

9                 “(iii) total number of reports where a  
10                 management decision was made during the  
11                 reporting period and the total cor-  
12                 responding dollar value of disallowed costs  
13                 and funds to be put to better use as agreed  
14                 to in the management decision; and

15                 “(B) with respect to final actions—

16                 “(i) whether, if a management deci-  
17                 sion was made before the end of the re-  
18                 porting period, final action was taken dur-  
19                 ing the reporting period;

20                 “(ii) if final action was taken, the dol-  
21                 lar value of—

22                 “(I) disallowed costs that were  
23                 recovered by management through  
24                 collection, offset, property in lieu of  
25                 cash, or otherwise;

1                         “(II) disallowed costs that were  
2                                  written off by management;

3                         “(III) disallowed costs and funds  
4                                  to be put to better use not yet recov-  
5                                  ered or written off by management;

6                         “(IV) recommendations that were  
7                                  completed; and

8                         “(V) recommendations that man-  
9                                  agement has subsequently concluded  
10                                 should not or could not be imple-  
11                                  mented or completed; and

12                         “(iii) total number of reports where  
13                                  final action was not taken and total num-  
14                                  ber of reports where final action was  
15                                  taken, including the total corresponding  
16                                  dollar value of disallowed costs and funds  
17                                  to be put to better use as agreed to in the  
18                                  management decisions;”;

19                         (ii) by redesignating paragraph (4) as  
20                                  paragraph (3);

21                         (iii) in paragraph (3), as so redesig-  
22                                  nated, by striking “subsection (a)(20)(A)”  
23                                  and inserting “subsection (a)(14)(A)”; and

24                         (iv) by striking paragraph (5) and in-  
25                                  serting the following:

1               “(4) a statement explaining why final action  
2       has not been taken with respect to each audit, in-  
3       spection, and evaluation report in which a manage-  
4       ment decision has been made but final action has  
5       not yet been taken, except that such statement—

6               “(A) may exclude reports if—

7                       “(i) a management decision was made  
8       within the preceding year; or

9                       “(ii) the report is under formal ad-  
10      ministrative or judicial appeal or manage-  
11       ment of the establishment has agreed to  
12       pursue a legislative solution; and

13               “(B) shall identify the number of reports  
14       in each category so excluded.”;

15               (C) by redesignating subsection (f) as sub-  
16       section (g); and

17               (D) by inserting after subsection (e) the  
18       following:

19               “(f) If an Office has published any portion of the re-  
20       port or information required under subsection (a) to the  
21       website of the Office or on oversight.gov, the Office may  
22       elect to provide links to the relevant webpage or website  
23       in the report of the Office under subsection (a) in lieu  
24       of including the information in that report.”.

